

Sixtieth  
Legislative Assembly  
of North Dakota

ENGROSSED SENATE BILL NO. 2368

Introduced by

Senator Potter

1 A BILL for an Act to create and enact a new section to chapter 49-16 of the North Dakota  
2 Century Code, relating to a choice-of-laws clause in an indemnification provision of a railroad  
3 right of way agreement.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 49-16 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Choice-of-laws clause void.** To the extent a provision of any lease, license, or other  
8 agreement relating to the use or occupancy of railroad right of way or other adjoining property  
9 provides the indemnification provisions of section 49-16-01.1 do not apply, or another provision  
10 applies, the provision is void.